UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER MENDIETA-CABRERA,

Defendant.
_____/

Case No. 1:09-cr-354

HONORABLE PAUL L. MALONEY

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Joseph G. Scoville in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Dkt. #68) is approved and adopted as the opinion of the Court.

2. Defendant's plea of guilty is accepted and defendant is adjudicated guilty of the charges set forth in Count 10 of the Superseding indictment.

3. The written plea agreement is hereby continued under advisement pending sentencing.

Date: February 2, 2010

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge